

RECEIVEDJun 03 2008
JUN 03 2008My supervisor - Brian McHale
Engineer Supervisor. Yve Sorenson
(Eve)MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
DIVISION

KJ

FILED**JUNE 12, 2008**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURTJoseph Luckett

(Name of the plaintiff or plaintiffs)

v.

08CV3191

JUDGE GETTLEMAN

MAGISTRATE JUDGE BROWN

Roscor Corporation1061 Feehanville DriveMount Prospect, IL

(Name of the defendant or defendants)

COMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.
2. The plaintiff is Joseph Luckett of
the county of Cook in the state of IL.
3. The defendant is Roscor Corporation, who
resides at (street address) 1061 Feehanville Drive
(city) Mt. prospect (county) _____ (state) IL (ZIP) 60056
(Defendant's telephone number) (847) - 299-8080

4) The plaintiff sought employment or was employed by the defendant at

(street address) 1061 Feehanville Dr.

(city) Mt. Prospect (county) _____ (state) IL. (ZIP code) 60056

5. The plaintiff [check one box]

- (a) ☐ was denied employment by the defendant.
 (b) ☐ was hired and is still employed by the defendant.
 (c) ☒ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about,

(month) August, (day) 20, (year) 2006.

7. (a) The plaintiff [check one box] ☒ ~~has not~~ ^{has} filed a charge or charges against the defendant

asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

- (i) ☒ the United States Equal Employment Opportunity Commission on or about
 (month) _____ (day) _____ (year) _____.
 (ii) ☐ the Illinois Department of Human Rights on or about
 (month) _____ (day) _____ (year) _____.
 (b) If charges were filed with an agency indicated above, a copy of the charge is

attached. ☒ YES ☐ NO

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

8. (a) ☐ the United States Equal Employment Opportunity Commission has not issued a *Notice of Right to Sue*.

(b) ☒ the United States Equal Employment Opportunity Commission has issued a *Notice of Right to Sue*, which was received by the plaintiff on (month) _____
 (day) _____ (year) _____ a copy of which *Notice* is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [check all that apply]

- (a) ☐ Age (Age Discrimination Employment Act).
- (b) ☒ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (c) ☐ Disability (Americans with Disabilities Act)
- (d) ☐ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☒ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☐ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☐ Sex (Title VII of the Civil Rights Act of 1964)

10. The plaintiff is suing the defendant, a state or local government agency, for discrimination on the basis of race, color, or national origin (42 U.S.C. §1983).

☒ YES ☐ NO

11. Jurisdiction over the statutory violation alleged is conferred as follows: over Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); over 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; over the A.D.E.A. by 42 U.S.C. §12117.

12. The defendant [check all that apply]

- (a) ☐ failed to hire the plaintiff.
- (b) ☒ terminated the plaintiff's employment.
- (c) ☒ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ other (specify): _____

13. The facts supporting the plaintiff's claim of discrimination are as follows:

*I was told that I was only a body
at the company. When I applied for the
Engineering position with the company two
Engineers ^{file} ~~Engineering~~ were hired outside the company
after 2 months when I made a request
for the position.*

14. [AGE DISCRIMINATION ONLY] Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury.



YES



NO

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff [check all that apply]

- (a) ☐ Direct the defendant to hire the plaintiff.
 (b) ☐ Direct the defendant to re-employ the plaintiff.
 (c) ☒ Direct the defendant to promote the plaintiff.
 (d) ☐ Find that the defendant failed to reasonably accommodate the plaintiff's religion.
 (e) ☐ Find that the defendant failed to reasonably accommodate the plaintiff's disabilities.
 (f) ☐ Direct the defendant to (specify): _____

(g) ☒

If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.

(h) ☒ Grant such other relief as the Court may find appropriate.

(Plaintiff's signature) _____

(Plaintiff's name) _____

(Plaintiff's street address) _____

(City) Chicago (State) Il. (ZIP) 60643

(Plaintiff's telephone number) (773) - 840 - 3107

Moreover during my 30 days training period there wasn't no problem being started about my work. After being with the company 6 months I decided to apply for the Engineer position. My supervisor, Brian McHale and he Luckett you trying to switch departments already and I replied yes, it is what fits my educational background. Another statement was made by him saying others have been here longer than you, you can't just come in here waving your ^{over} degree around trying to get a position. More of you are just a body statement started coming out. I performed my duties and responsibilities with different team members and completed some on my own. I really didn't mind working with each one of my team members because it gave me an understanding on what type of worker they were and I was also thinking when I became an Engineer who will be more familiar with certain projects on schools, government facilities and television stations to help complete the job. Nevertheless more rumors started occurring and the boss started saying I was knocking wires, my clothes wasn't smelling fresh and I don't think you can do they job. I was being harassed in a form verbally that ~~should~~ showed discrimination toward my work. Long story short I went out on a job in Ohio came back after job was completed and I was fired. I was sent on a job with an individual that was a trainer put in charge of the project and I was terminated upon return home. Reason for my termination was, I stated I have to test

you go because you are not performing your job right and you're knocking wires. I strongly disagree with that and feel I didn't get the position I wanted because my supervisor was discriminating on me for stereotypical beliefs in his mind along with prejudice behavior.

Moreover, I had just started working on my MBA from I.T.T. Technical Institute. I started with my supervisor, Brian McHale asking him questions about the company. The question was pertaining to one of the questions from my homework assignment. He made the statement I am not going to tell you anything about the company and many people are not going to talk to you about the company. That was a shocking response to me because before he told me I didn't know much about the company and I am not showing interest in the company so why am I trying to switch departments. His attitude was real jealous toward me and he was really arrogant. That's when I found out the company was covered under the Better Business Bureau (BBB).

Joseph Luckett

1036 W. 108th Pl

Chicago, IL

60643

Home (773) 840-3107

Cell (773) 273-0183



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Chicago District Office

500 West Madison Street, Suite 2800
Chicago, IL 60661
(312) 353-2713
TTY (312) 353-2421
FAX (312) 353-4041

March 06, 2008

Joseph D. Lockett
1036 West 108th Place
Chicago, IL 60643

Re: Joseph D. Lockett
Respondent: Roscor Corporation
EEOC Number: 440-2007-04304

Dear Mr. Lockett:

The enclosed Dismissal and Notice of Rights was sent to you on **October 18, 2007** via certified mail. However, the Postal Service returned it to the Commission because **it was unclaimed**.

We are sending it via regular mail so that you may have another opportunity to receive it.

Sincerely

A handwritten signature in black ink, which appears to read "John P. Rowe", is written over a horizontal line.

John P. Rowe
District Director

EEOC Form 161 (3/98)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Joseph D. Lockett**
1036 West 108th Place
Chicago, IL 60643

From: **Chicago District Office**
500 West Madison St
Suite 2800
Chicago, IL 60661

CERTIFIED MAIL 7099 3400 0018 8815 5219



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

440-2007-04304

Cristina Wodka,
Investigator

(312) 353-1401

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.



While reasonable efforts were made to locate you, we were not able to do so.



You were given 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



John P. Rowe,
District Director

10-18-07

(Date Mailed)

Enclosures(s)

cc: ROSCOR CORPORATION